



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0002/19
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	23/01/2019
6	DETERMINATION	Upheld - Not Modified or Discontinued

## ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Strong or obscene language

## DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement is a van with SA registration S799BAC. The rear of the vehicle features the text "Masturbation is the only thing that isn't taxed, regulated or illegal. That's your freedom; you're free to go fuck yourself". The side of the vehicle features the text "Bukowski. Some people never go crazy. What truly horrible lives they must lead."

## THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The text is about how masturbation is not illegal or taxed and the last line is "then you can go fuck yourself". I was offended by both the content and the language.*

*Appalling language in public. I know people swear (as do I) but seeing it emblazoned in*





*big letters is shocking. It has overt sexual references that would be difficult to explain to children. Somewhat aggressive messaging. Wildly inappropriate in a public setting. Wrong time and place for this sort of thing. I still can't believe I saw it really.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*Advertiser did not provide a response.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the wording on the vehicle was sexual and offensive.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

The Panel noted that this advertisement features the slogan, "Masturbation is the only thing that isn't taxed, regulated or illegal. That's your freedom; you're free to go fuck yourself" on the back of a Wicked Campers van. The side of the vehicle features the text 'Bukowski. Some people never go crazy. What truly horrible lives they must lead" and a cartoon image of a man smoking a cigarette and holding a bottle.

The Panel considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Panel noted that as the advertisement is on a motor vehicle the relevant audience is likely to be broad and would include children.

The Panel noted the complainant's concern that the advertisement contains a sexual reference which is inappropriate for a broad audience that would include children.

The Panel noted the advertisement features the word 'masturbation' and considered that this is a sexual word and in the context does put the issue of sexual activity



before children.

The Panel considered that the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did breach Section 2.4 of the Code.

The Panel then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Panel considered that many people in the community would find the word ‘masturbation’ in context with the phrase ‘go fuck yourself’ to be language which was inappropriate for the relevant broad audience.

The Panel noted that it had upheld similar complaints for Wicked Campers 0091/14, 0044/15, 0360/16, and 0467/17 that included the text ‘fuck’, ‘fucking’ and ‘mother-fucking’. The Panel considered that in the above mentioned cases the word "fuck" and its derivatives were not appropriate for an audience that would include children and that it is a word which most members of the community would consider offensive.

The Panel noted the Community perceptions research conducted in 2012 which identified that “in terms of advertisement unacceptability, the broader community was in general more conservative that the Board may have anticipated regarding themes of strong language”.

The Panel noted that the current advertisement is featured on a vehicle and it is likely that it will be viewed by a broad audience which would include children. Consistent with the decisions above and in consideration of the research the Panel considered that the word "fuck" is not appropriate for such an audience and that it is a word which most members of the community would consider obscene.

The Panel determined that the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement did breach Section 2.5 of the Code the Panel upheld the complaints.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the relevant authorities regarding this issue of non-compliance.

